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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 MARISA CLARK, an individual,

CASE NO.: 2:19-cv-00941-APG-NJK

11 Plaintiff,

12 vs.

13 EASTER SEALS NEVADA, a domestic
14 corporation; CHRISTINE ZACK, an individual;
15 and BRIAN PATCHETT, an individual,

**STIPULATION TO CONTINUE THE EARLY
NEUTRAL EVALUATION SESSION
CURRENTLY SCHEDULED FOR
OCTOBER 8, 2019
(SECOND REQUEST)**

16 Defendants.

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18 Defendants Easter Seals Nevada (“Easter Seals”), Christine Zack (“Zack”) and Brian Patchett
19 (“Patchett”), by and through their counsel of record Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
20 and Plaintiff Marisa Clark, by and through her counsel of record Mullins & Trenchak, Attorneys at Law,
21 hereby stipulate and request that the Early Neutral Evaluation (“ENE”) currently scheduled for October
22 8, 2019, be vacated and rescheduled to any of the following proposed dates:

24 1. November 5, 2019;
25 2. November 6, 2019;
26 3. November 7, 2019;
27 4. November 12, 2019; or
28 5. November 13, 2019.

1 Pursuant to LR IA 6-1, this is the second stipulation to request to vacate and reschedule the ENE.
2 The parties contemplated an extension of time for Defendants to Respond to Discovery Requests and a
3 miscommunication resulted wherein all of the Responses would be received after the ENE Session on
4 October 8, 2019. Defendants' main witness is not available to participate in answering these Responses
5 and the Extension was given until October 31, 2019. The parties believe that these responses will be
6 instrumental in assisting the parties to constructively participate in the ENE Session. The parties are aware
7 that there is a fourteen (14) day requirement for extensions to be requested but the miscommunication did
8 not come to light until Sunday, September 29, 2019, and this Stipulation was then agreed to by the parties.
9 This stipulation is entered into in good faith and not for purposes of delay.

10 DATED this 30th day of September, 2019.

11 WILSON, ELSE, MOSKOWITZ, EDELMAN
12 & DICKER LLP

DATED this 30th day of September, 2019.

MULLINS & TRENCHAK, ATTORNEYS AT
LAW

13
14 /s/ Sheri M. Thome
15 Sheri M. Thome, Esq.
Nevada Bar No. 008657
16 Chris Richardson, Esq.
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18 Attorneys for Defendants Easter Seals Nevada,
Christine Zack and Brian Patchett

/s/ Philip J. Trenchak
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20 IT IS ORDERED that the ENE is reset for November 12, 2019. Plaintiff must arrive at
9:30 a.m. Defendants must arrive at 10:00 a.m. ENE statements are due by 4:00 p.m.
21 on November 5, 2019.

22
23 
24 UNITED STATES MAGISTRATE JUDGE

25 October 2, 2019

26 DATED: _____